

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

**INDICTMENT FOR VIOLATION OF
THE FEDERAL GUN CONTROL ACT**

UNITED STATES OF AMERICA	*	CRIMINAL DOCKET NO.	
v.	*	SECTION:	
GRALEN BENSON	*	VIOLATION:	18 U.S.C. § 922(g)(1)
			18 U.S.C. § 924(a)(2)
	*	*	*

The Grand Jury charges that:

COUNT ONE

On or about November 16, 2008, in the Eastern District of Louisiana, the defendant, **GRALEN BENSON**, having been previously convicted of crimes punishable by imprisonment for a term exceeding one year, to wit: a conviction on or about October 25, 2007, in Criminal District Court for the Parish of Orleans, Docket Number 470-862, Section "D," for Possession of Heroin and Possession of Cocaine in violation of La. R.S. 40:967(C)(1) and 40:967(C)(2), respectively; and a conviction on or about October 25, 2007, Criminal District Court for the Parish of Orleans, Docket Number 470-786, Section "A," Possession of Heroin in violation of La. R.S. 40:966(C)(1); did knowingly possess in and affecting commerce a firearm, to wit: Berretta Model 92FS, 9mm handgun bearing serial number BER3902542Z; all in violation of

Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

NOTICE OF GUN FORFEITURE

1. The allegations of Count 1 of this Indictment are realleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 18, United States Code, Section 924 (d)(1) and Title 28, United States Code, Section 2461(c).

2. As a result of the offense alleged in Count 1, defendant, **GRALEN BENSON**, shall forfeit to the United States pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461, any firearm or ammunition, which was involved in or used in a knowing violation of Title 18, United States Code, Section 922, as alleged in Count 1 of the Indictment.

3. If any of the property subject to forfeiture pursuant to Paragraph 2 of this Notice of Forfeiture, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

All in violation of Title 18, United States Code, Sections 922 and 924(d)(1).

A TRUE BILL:

F O R E P E R S O N

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New Orleans, Louisiana
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